



Atty. Dkt. No. 040373-0255

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Kazuo ISHII  
Title: OPTICAL SYMBOL READING DEVICE  
Appl. No.: 09/320,457  
Appl. Filing Date: 05/27/1999  
Examiner: Fureman, J.  
Art Unit: 2876

**REQUEST FOR CONTINUED EXAMINATION (RCE)**  
**TRANSMITTAL**

Commissioner for Patents  
Box RCE  
Washington, D.C. 20231

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. This RCE and the enclosed items listed below are being filed prior to the earliest of: (1) payment of the issue fee (unless a petition under 37 C.F.R. § 1.313 is granted); (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. §141, or the commencement of a civil action under 35 U.S.C. §145 or §146 (unless the appeal or civil action is terminated).

**1. Submission required under 37 C.F.R. §1.114: (check items that apply)**

a. Previously submitted:

- Please enter and consider the amendment/reply previously filed on September 30, 2002.
- Please consider the Affidavit(s)/Declaration(s) previously filed on \_\_ but not considered.
- Please consider the arguments in the Appeal Brief or Reply Brief under 37 C.F.R. § 1.116 previously filed on \_\_.
- Other \_\_.

b. Enclosed are:

- Amendment/Reply.

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- Affidavit(s)/Declaration(s).
- Information Disclosure Statement.
- Form PTO-1449 with copies of \_\_\_ listed reference(s).
- Other .

**Miscellaneous:**

- Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_ months.

The filing fee is calculated below:

Claims as Amended	Previously Paid For	Extra Claims Present	Rate	Fee Totals
RCE Fee 1.17(e)			\$740.00	\$740.00
Total Claims: <u>9</u>	- <u>20</u>	= <u>0</u>	x \$18.00 =	<u>\$0.00</u>
Independents: <u>2</u>	- <u>3</u>	= <u>0</u>	x \$84.00 =	<u>\$0.00</u>
First presentation of any Multiple Dependent Claims:			+ \$280.00 =	<u>\$0.00</u>
			CLAIMS FEE TOTAL: =	<u>\$740.00</u>

Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input type="checkbox"/>	Extension for response filed within the first month:	\$110.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the second month:	\$400.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the third month:	\$920.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the fourth month:	\$1,440.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the fifth month:	\$1,960.00	\$0.00
	EXTENSION FEE TOTAL:		\$0.00
	CLAIMS AND EXTENSION FEE TOTAL:		\$740.00
<input type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):		\$0.00
<input type="checkbox"/>	Suspension of action requested under 37 C.F.R. § 1.103(c)		\$0.00
	TOTAL FEE:		\$740.00

A check in the amount of \$740.00 to cover the filing fee is enclosed.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

By Philip J. Anticola Reg. No.  
38,819  
for / David A. Blumenthal  
Attorney for Applicant  
Registration No. 26,257

Date October 28, 2002  
FOLEY & LARDNER  
Customer Number: 22428



22428

PATENT TRADEMARK OFFICE

Telephone: (310) 975-7895  
Facsimile: (202) 672-5399

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